## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JAMIE MARTIN and DANEISHA SINGLETON, on behalf of themselves and all others similarly situated, and the Proposed New York Rule 23 Class,

Case No. 15-cv-05237 (PAE/HBP)

Plaintiffs,

-against-

SPRINT/UNITED MANAGEMENT COMPANY and WALLACE MORGAN, INC.,

Defendants.

DECLARATION OF NICOLE A. EICHBERGER IN SUPPORT OF DEFENDANT SPRINT/UNITED MANAGEMENT COMPANY'S OPPOSITION TO PLAINTIFFS' MOTION FOR CONDITIONAL CERTIFICATION AND COURT-AUTHORIZED NOTICE

- I, Nicole A. Eichberger, pursuant to 28 U.S.C. § 1746, hereby declare as follows:
- 1. I am senior counsel at Proskauer Rose, LLP, attorneys for Defendant Sprint/United Management Company ("Sprint") in the above-captioned matter.
- 2. I am fully familiar with the facts set forth herein and submit this Declaration in support of Sprint's Opposition to Plaintiffs' Motion for Conditional Collective Certification and Court-Authorized Notice Pursuant to 29 U.S.C. § 216(b).
- 3. Attached hereto as **Exhibit A** is a true and correct copy of the Amended and Restated Outreach Agency Agreement between Sprint and Credico (USA) LLC ("Credico"), dated as of September 15, 2012.
- 4. Attached hereto as **Exhibit B** is a true and correct copy of Amendment No. 1 to Outreach Agency Agreement between Sprint and Credico, effective April 1, 2014.

- 5. Attached hereto as **Exhibit C** is a true and correct copy of Amendment No. 2 to Outreach Agency Agreement between Sprint and Credico, effective April 8, 2014.
- 6. Attached hereto as **Exhibit D** is a true and correct copy of Amendment No. 3 to Outreach Agency Agreement between Sprint and Credico, effective May 1, 2014.
- 7. Attached hereto as **Exhibit E** is a true and correct copy of Amendment No. 4 to Outreach Agency Agreement between Sprint and Credico, effective March 4, 2015.
- 8. Attached hereto as **Exhibit F** is a true and correct copy of Amendment No. 5 to Outreach Agency Agreement between Sprint and Credico, effective June 1, 2015.
- 9. Attached hereto as **Exhibit G** is a true and correct copy of the revised Outreach Agency Program Standard Operating Procedures (as of August 22, 2014).
- 10. Attached hereto as **Exhibit H** is a true and correct copy of the AAF Form #4759 ("Agent Acknowledgment Form") for Jamie Martin.
- 11. Attached hereto as **Exhibit I** is a true and correct copy of the NASF Form #5358 for Jamie Martin.
- 12. Attached hereto as **Exhibit J** is a true and correct copy of the Agent Knowledge Daily Checklist (v. 3.0)
- 13. In the event that the Court certifies a collective, attached hereto as **Exhibit K** is a true and correct copy of Defendant's proposed Collective Action Notice.
- 14. Attached hereto as **Exhibit L** is a true and correct comparison of Defendant's proposed Collective Action Notice (**Exhibit K**) and Plaintiffs' proposed Collective Action Notice (Declaration of A. Prakash, Exs. 17 & 18).

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

## PROSKAUER ROSE LLP

Dated: November 13, 2015 New York, New York

By: /s/ Nicole A. Eichberger Nicole A. Eichberger (pro hac vice) Eleven Times Square New York, New York 10036-8299

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